

**THE HON'BLE SRI JUSTICE SANJAY KUMAR
AND
THE HON'BLE Dr. JUSTICE B. SIVA SANKARA RAO**

WRIT PETITION No.21896 of 2016

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ORDER: (per Hon'ble Sri Justice Sanjay Kumar)

Challenge in this writ petition is to the e-auction sale notice dated 02.06.2016 issued by the State Bank of Hyderabad proposing to put the secured assets of the petitioners to sale on 08.07.2016.

Sri A. Krishnam Raju, learned counsel appearing for the respondent bank, would however fairly state that subsequent to the passing of the order dated 13.04.2016 in W.P.No.12278 of 2016, the petitioners have made substantial payments though they did not comply with the conditional order stipulated therein within time. Learned counsel would further state that as on date the total outstanding dues of the petitioners would be just over Rs.1,00,000/-. Though Sri G. Sekhar Reddy, learned counsel for the petitioners, would contend that this amount is also on the higher side, it is for the petitioners to settle the dispute as to the quantum due with the respondent bank.

As it is now stated that the amount due is only in the range of a lakh or so, we are of the opinion that the respondent bank should not proceed with the sale scheduled to be held on 08.07.2016 as the petitioners should be given an opportunity to clear the outstanding dues.

In that view of the matter, the writ petition is allowed setting aside the impugned sale notice dated 02.06.2016. This is however subject to the petitioners' discharging their entire outstanding dues to the respondent bank within one month from the date of receipt of a copy of this order. In the event the petitioners fail to do so, the respondent bank would be at liberty to proceed further in the matter in accordance with law, including recovery of all incidental expenses incurred in this regard from the petitioners.

Pending miscellaneous petitions, if any, shall stand closed. No order as to costs.

SANJAY KUMAR, J

Dr. B. SIVA SANKARA RAO, J

Date:05.07.2016

GJ